

CERTIFICATE OF MAILING

I hereby certify that on **February 20, 2004**, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

37 C.F.R. § 1.8(a)

☐ with sufficient postage  
as first class mail

37 C.F.R. § 1.10

☒ as "Express Mail Post Office to  
Addressee" Mailing Label No.

EV 376521910 US

Allie Barrett

22856 U.S. PTO  
10/783464  
022004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY PATENT APPLICATION TRANSMITTAL

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

Transmitted herewith for filing is the patent application of inventor(s):

1<sup>st</sup> Inventor: Raymond Losi, Jr.

For: **PORTABLE SHELTER WITH ROLLING ELEMENT BEARINGS**

1. **Type of Application**

This new application is for a(n)

- ☒ Original (non provisional)
- ☐ Design
- ☐ Plant
- ☐ Continuation-in-part (CIP)

**2. Benefit of Prior U.S. Application(s)** (35 USC §§ 119(e), 120, or 121)

- ☒ The new application being transmitted claims the benefit of the following prior U.S. Provisional applications: (1) U.S. Provisional Patent Application No. 60/482,503 filed June 24, 2003 entitled *Portable Shelter Framework*; and (2) U.S. Provisional Patent Application No. 60/449,124 filed February 21, 2003 entitled *Shade Structure With Roller Bearings*, both of the contents of which are hereby incorporated by reference.

**3. Papers Enclosed**

A.

<u>9</u>	pages of specification
<u>3</u>	pages of claims
<u>1</u>	pages of abstract
<u>10</u>	sheets of drawings (do not submit original drawings)

(complete the following, if applicable)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 CFR 1.84(b).

B. Other Papers Enclosed

<u>2</u>	Pages of Combined Declaration, Power of Attorney and Petition
<u>2</u>	Assignment
<u>1</u>	Credit Card Payment Form

**4. Declaration or oath (including power of attorney)**

- ☒ Enclosed  
☒ executed by inventor(s)

**5. Inventorship Statement**

Inventorship for all the claims in this application are:

- ☐ The same.

**6. Assignment**

- ☒ An assignment of the invention to Variflex, Inc.  
☒ is attached  
☒ executed by inventor(s)  
☐ was filed in parent application  
☐ will follow

**7. Fee Calculation**

A. ☒ Regular application

CLAIMS AS FILED					
Number filed	Number Extra	Rate		Basic Fee 37 CFR § 1.16(a)/	
		Large Entity	Small Entity	Large Entity \$770.00	Small Entity \$385.00
Total Claims (37 CFR § 1.16(c)) = 15	- 20 = -5	x \$18.00 =	x \$9.00 =		00.00
Independent Claims (37 CFR § 1.16(b)) = 3	- 3 = 0	x \$86.00 =	x \$43.00 =		00.00
Multiple dependent claims(s), if any (37 CFR § 1.16(d)) = 11			+ \$290.00=		00.00
Recordation Filing Fee					

- ☐ An amendment canceling extra claims is enclosed.  
☐ An amendment deleting multiple-dependencies is enclosed.  
☐ The fee for extra claims is not being paid at this time

Filing Fee Calculation \$385.00

- B. ☐ Design application (\$330-37 CFR§1.16(f)) \$                      
C. ☐ Plant application (\$540-37 CFR§1.16(g)) \$

**8. Small Entity Statement(s)**

☒ Applicant claims small entity status. See 37 CFR 1.27

**9. Fee Payment Being Made at Time**

- ☐ Not Enclosed  
☐ No filing fee is to be paid at this time.  
☒ Enclosed  
☒ Filing Fee \$ 385.00

**10. Method of Payment of Fees**

- ☐ A check in the amount of \$                     is enclosed.  
☒ Credit Card Payment Form is enclosed.  
☐ Charge Deposit Account No. 50-2809 in the amount of \$        
A duplicate of this transmittal is attached.

11. ☐ Request and Certification under 35 USC §122 (b)(2)(B)(i) (Non-publication Request)

12. **Authorization to Charge Additional Fees**

*(If no fees are to be paid on filing, the following items should not be completed)*

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-2809.
- ☒ 37 CFR§§1.16(a), (f), or (g) (Filing fees)
  - ☒ 37 CFR§§1.16(b), (c), and (d) (presentation of extra claims)
  - ☐ 37 CFR§§1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
  - ☐ 37 CFR§§1.17(a)(1)-(5) (extension fees pursuant to §1.136(a))
  - ☐ 37 CFR§§1.17 (application processing fees)
  - ☐ 37 CFR§§1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR§1.1311(b))

13. **Instructions as to Overpayment**

- ☒ Credit Account No. 50-2809  
☐ Refund

14. **Correspondence Address**

- ☒ Customer Number. 37,374  
☒ Please direct all future correspondence to the following attorney/address:

**INSKEEP INTELLECTUAL PROPERTY GROUP, INC.**

1225 W. 190<sup>th</sup> Street, Suite 205

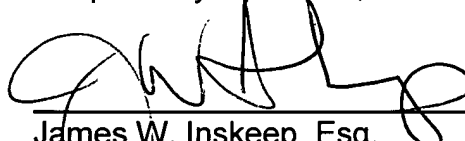
Gardena, CA 90248

**Attn: James W. Inskeep**

Telephone: 310.217.6220

Facsimile: 310.327.0282

Respectfully submitted,

  
James W. Inskeep, Esq.  
Registration No. 33,910

February 20, 2004

INSKEEP INTELLECTUAL PROPERTY GROUP, INC.

1225 W. 190<sup>th</sup> Street, Suite 205

Gardena, CA 90248

Telephone: 310.217.6220

Facsimile: 310.327.0282